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 7 Employees of the City of Stockton, Shelley Green,  
 8 Patricia Hernandez, Reed Hogan, Glenn E.  
 Matthews, Patrick L. Samsell, Alfred J. Siebel,  
 Brenda Jo Tubbs, and Teri Williams on Behalf of  
 Themselves and Others Similarly Situated

9  
 10 **UNITED STATES BANKRUPTCY COURT**  
 11 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

12 In re:  
 13 CITY OF STOCKTON, CALIFORNIA,  
 14 Debtor.

Case No. 12-32118  
 Chapter 9

15 ASSOCIATION OF RETIRED EMPLOYEES  
 16 OF THE CITY OF STOCKTON, a nonprofit  
 17 California corporation, SHELLEY GREEN,  
 18 PATRICIA HERNANDEZ, REED HOGAN,  
 19 GLENN E. MATTHEWS, PATRICK L.  
 SAMSELL, ALFRED J. SIEBEL, BRENDA  
 JO TUBBS, TERI WILLIAMS, on Behalf of  
 Themselves and Others Similarly Situated,

Adv. No.  
 DECLARATION OF PAT HERNANDEZ  
 IN SUPPORT OF APPLICATION FOR  
 TEMPORARY RESTRAINING ORDER  
 OR RELIEF FROM STAY

20 Plaintiffs,

21 vs.

22 CITY OF STOCKTON, CALIFORNIA,  
 23 Defendant.

1 I, Pat Hernandez, declare:

2 1. I have personal knowledge of the facts set forth in this declaration and, if called as  
3 a witness, I could and would testify competently to these facts under oath.

4 2. I was born on March 2, 1955, and I am 57 years old. I live at 1752 S. Olive  
5 Avenue, Stockton, CA 95212.

6 3. I was hired by the City of Stockton in November of 1986 and retired in June of  
7 2010 as a Library Aide II.

8 4. My husband is a dependent on my City Health Care Plan and he is 57 years old.  
9 He is on Social Security Disability due to being on dialysis. I am not sure whether or not I have  
10 enough quarters to be eligible for Medicare, but I think I will be eligible for Medicare through  
11 my husband.

12 5. My CALPERS retirement check is for \$1,709.37 and after taxes I receive  
13 \$1,588.65. My net annual income is \$29,263.

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1           6.     I am informed and believe the City has adopted a monthly premium for retiree  
2 health benefits. If I were required to pay the City's premium for the City's Health Plan, even  
3 with the \$300 per month City subsidy, it would cost \$1,276.66 monthly, or \$15,319.92 annually.  
4 That represents 52% of our net annual household income.

5           7.     Since my entire income from my PERS pension and my husband's Social  
6 Security is only \$29,263, after paying that premium we would have only \$13,943 annually for all  
7 other expenses, which divided into 12 installments would give us an income of \$1,162 per month  
8 for food, housing and all other expenses. Also, Social Security is saying my husband has been  
9 overpaid and they may reduce or eliminate his check for some period of time, reducing our  
10 income even further.

11           8.     My husband is disabled. He is an amputee, and is on dialysis. He is also  
12 diabetic and has heart issues. He needs dialysis three times a week, and the cost is \$22,000 a  
13 month. Medicare has been paying primary, the City secondary, and MediCal is tertiary. I cannot  
14 afford to pay the City plan, but I can't afford to pay the 20% of \$22,000, and I don't know if  
15 MediCal will pay if I don't maintain my City plan for my husband. I am a breast cancer survivor  
16 (6 years) and am afraid to go to the doctor these days because I have not reached my deductible  
17 and am concerned about medication co-pays. My husband and I are looking into other medical  
18 plans, but with our medical history it is not clear we could qualify for another plan. It is all  
19 confusing and frightening and I have been seeking information and advice. What is clear is that I  
20 cannot afford to continue on the City plan and I haven't been able to find a replacement that  
21 would take effect July 1<sup>st</sup>.

22           I declare under penalty of perjury under the law of the United States of America that the  
23 foregoing is true and correct and that this declaration was executed in Stockton, California  
24 on July 4, 2012.

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27 PATRICIA HERNANDEZ  
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19 CITY OF STOCKTON, CALIFORNIA,

Chapter 9

20 Debtor.

21 ASSOCIATION OF RETIRED EMPLOYEES  
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23 California corporation, SHELLEY GREEN,  
24 PATRICIA HERNANDEZ, REED HOGAN,  
25 GLENN E. MATTHEWS, PATRICK L.  
26 SAMSELL, ALFRED J. SIEBEL, BRENDA  
27 JO TUBBS, TERI WILLIAMS, on Behalf of  
28 Themselves and Others Similarly Situated,

Adv. No.

DECLARATION OF REED HOGAN IN  
SUPPORT OF APPLICATION FOR  
TEMPORARY RESTRAINING ORDER  
OR RELIEF FROM STAY

Plaintiffs,

vs.

CITY OF STOCKTON, CALIFORNIA,

Defendant.

1 I, Reed Hogan, declare:

2 1. I have personal knowledge of the facts set forth in this declaration and, if called as  
3 a witness, I could and would testify competently to these facts under oath.

4 2. I was born on August 21, 1949 and am 62 years old. I live at 7756 South Oak  
5 Way, Sacramento, California 95831.

6 3. I was hired by the City of Stockton on January of 1995 and retired on June 30,  
7 2011 as a Senior Civil Engineer.

8 4. My spouse is my dependent on the City's Medical Plan and I will be eligible for  
9 Medicare when I reach the age of 65.

10 5. My net PERS retirement check is \$3,284.00. My net income for the tax year 2012  
11 after taxes is estimated to be \$58,858.00.

12 6. I am informed and believe the City has adopted a monthly premium for retiree  
13 health benefits. If required to pay this premium to receive City Health Plan benefits, even

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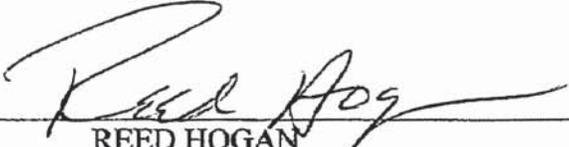
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1 with the \$150 subsidy for one year, it would be \$1,426.66 per month, or \$17,119.92 annually.  
2 That would amount to 29% of my entire net income, a blow that would impact us severely.

3 7. I have a thyroid condition and very high cholesterol which require regular  
4 monitoring. My wife has a thyroid condition which requires regular monitor by a medical  
5 specialist. Both of these medical conditions require expensive medications on a regular basis.  
6 Attempting to obtain other insurance for these pre-existing conditions will be very expensive  
7 if we could even get such coverage.

8 I declare under penalty of perjury under the law of the United States of America that the  
9 foregoing is true and correct and that this declaration was executed in Sacramento, California  
10 on JUNE 25, 2012.

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13 REED HOGAN  
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